

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE

PENDING CHARGE: On January 7, 2014, the Grand Jury returned a five count indictment against defendants Randolph E. Wells, Jamal L. Vassie, Gary S. Dorch and Sergio A. Rascoe.¹ **Count One** of the indictment charges that on December 19, 2013, all defendants conspired to commit offenses against the United States, that is, robbery of a motor vehicle. **Count Two** charges that on December 19, 2013, the defendants, aiding and abetting each other, did knowingly take a motor vehicle which had been transported in interstate commerce from the person or presence of Portia Brown, by means of force and violence or by intimidation, and at or during the time the defendants took said motor vehicle they intended to cause death or serious bodily injury. **Count Three** charges that on December 19, 2013, the defendants, aiding and abetting each other, possessed a firearm in furtherance of a crime of violence, that is, robbery of a motor vehicle. **Count Four** charges that on December 19, 2013, the defendants, aiding and abetting each other affected interstate commerce by robbery and attempted robbery and threatened physical violence to another in furtherance of a plan and purpose to commit and attempt to commit robbery, to wit: while one of the defendants was armed with a firearm, the defendants took money from the Public Storage by force and threats of force. **Count Five** charges that on December 19, 2013, the defendants, aiding and abetting each other, possessed a firearm in furtherance of a crime of violence, that is, robbery.

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Patrick Edwards/Matthew Moeder
Case Agent: Task Force Officer Loren Freeman
Defense: Alex Scott McCauley

OUTSTANDING MOTIONS:

07/29/2016 105 MOTION in limine by Jamal L. Vassie. Suggestions in

¹ All defendants except for Jamal Vassie have either entered or scheduled a change of plea.

		opposition/response due by 8/15/2016 unless otherwise directed by the court. (McCauley, Alex) (Entered: 07/29/2016)
07/29/2016	104	MOTION for order To Allow Use of All Prior Convictions for Impeachment Purposes by Jamal L. Vassie as to Randolph E. Wells, Jamal L. Vassie, Gary S. Dorch, Sergio A. Rascoe. Suggestions in opposition/response due by 8/15/2016 unless otherwise directed by the court. (McCauley, Alex) (Entered: 07/29/2016)
07/26/2016	101	MOTION for order to Declare Case Extended and Complex by Jamal L. Vassie. Suggestions in opposition/response due by 8/12/2016 unless otherwise directed by the court. (McCauley, Alex) (Entered: 07/26/2016)

TRIAL WITNESSES:

Government: 14 without stipulations

Defendants: Any witnesses listed by the government, and possibly the defendant

TRIAL EXHIBITS

Government: 39 exhibits

Defendant: 0 exhibits for defendant

DEFENSES: General denial

POSSIBLE DISPOSITION:

(X) Definitely for trial; () Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 4 days

Government's case including jury selection: 4 days

Defense case: The defense case will be presented through cross-examination of government witnesses, and thus, the trial time for the defense is included in the government's estimated trial time.

STIPULATIONS: While the parties have discussed stipulations, it is unlikely they will be able to agree as to either chain of custody or the interstate nexus of the firearm.

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit List

Government: Filed 8/2/2016

Defense: Filed 7/29/2016)

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: Noon, Wednesday, August 10, 2016.

Please Note: Jury instructions must comply with Local Rule 51.1

TRIAL SETTING: Criminal jury trial docket set for August 15, 2016.

Please note: Government counsel request the first week of the docket.

IT IS SO ORDERED.

/s/ *Sarah W. Hays*

SARAH W. HAYS
UNITED STATES MAGISTRATE JUDGE